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FREEDOM OF INFORMATION/PRIVACY APPEAL

Mr. Peter Flaherty
Deputy Attorney General
U.S. Department of Justice
Washington, D.C. 20530

December 3, 1977

Dear Mr. Flaherty:

By letter dated November 16, 1977, the FBI's Milwaukee Field Office has informed me that it has excised certain information from a document furnished me on grounds that it is exempt under 5 U.S.C. §552(b)(7)(D).

I hereby appeal the denial of this access to information.

The threshold test for invoking exemption 7 requires that the record was compiled "for law enforcement purposes." The record in question here is an anti-war newsletter which was circulated on the University of Wisconsin campus in 1966. It was apparently provided by someone on the mailing list.

In considering this appeal, I request that you inform me of the law enforcement purpose for which this record was compiled. If this record was compiled during the course of a criminal investigation, I wish to know the specifics of that investigation, including the federal statute allegedly violated and the identities of the persons against whom the investigation was directed. If the record was compiled during the course of a national security intelligence investigation, I wish to know the authority under which the investigation was taken and the nature of the information which was used to justify it.

Sincerely yours,

James H. Lesar

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